

**RESOLUTION NO. CZAB14-7-03**

*WHEREAS, JOSEPH TAUBMAN, TR. & DELCO ENTERPRISES, INC.* had applied to Community Zoning Appeals Board 14 for the following:

AU to EU-M

SUBJECT PROPERTY: PARCEL 1: The east ½ of the SE ¼ of the SE ¼ of the NW ¼ in Section 11, Township 56 South, Range 39 East. AND: PARCEL 2: The east ½ of the SW ¼ of the SE ¼ of the NW ¼ and the west ½ of the SE ¼ of the SE ¼ of the NW ¼ less the east 181' of the south ½ thereof, in Section 11, Township 56 South, Range 39 East.

LOCATION: The north side of theoretical S.W. 208 Street, (Bush Drive) between theoretical S.W. 133<sup>rd</sup> Court and S.W. 132 Avenue, Miami-Dade County, Florida, and

*WHEREAS, a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that the requested district boundary change to EU-M would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied without prejudice and said application was denied by Resolution No. CZAB14-8-02, and*

*WHEREAS, JOSEPH TAUBMAN & DELCO ENTERPRISES, INC.* had appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners, for the following:

AU to EU-M

SUBJECT PROPERTY: PARCEL 1: The east ½ of the SE ¼ of the SE ¼ of the NW ¼ in Section 11, Township 56 South, Range 39 East. AND: PARCEL 2: The east ½ of the SW ¼ of the SE ¼ of the NW ¼ and the west ½ of the SE ¼ of the SE ¼ of the NW ¼ less the east 181' of the south ½ thereof, in Section 11, Township 56 South, Range 39 East.

LOCATION: The north side of theoretical S.W. 208 Street, (Bush Drive) between theoretical S.W. 133<sup>rd</sup> Court and S.W. 132 Avenue, Miami-Dade County, Florida, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it was the opinion of this Board to vacate resolution CZAB14-8-02 and to remand the application back to Community Appeals Board 14 for further consideration with leave to amend, and said application was vacated by Resolution No. Z-1-03, and

WHEREAS, **JOSEPH TAUBMAN, TR. & DELCO ENTERPRISES, INC.** applied to Community Zoning Appeals Board 14 for the following:

AU to EU-M

SUBJECT PROPERTY: PARCEL 1: The east  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 11, Township 56 South, Range 39 East. AND: PARCEL 2: The east  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the west  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  less the east 181' of the south  $\frac{1}{2}$  thereof, in Section 11, Township 56 South, Range 39 East.

LOCATION: The north side of theoretical S.W. 208 Street, (Bush Drive) between theoretical S.W. 133<sup>rd</sup> Court and S.W. 132 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

- 1) That said Property shall be developed substantially in accordance with the plans previously submitted entitled " Site Plan, S.W. 208<sup>th</sup> Street & S.W. 132<sup>nd</sup> Avenue", as prepared by Superior Consultants, consisting of 6 sheets, dated September 26, 2001, and said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.
- 2) That the Applicant shall utilize no more than 8 Severable Use Rights in order to develop the property in substantial compliance with the above referenced plan.
- 3) That no more than 29 homes shall be developed on the Property.
- 4) That Owners shall obtain building permits for no more than 50 % of the proposed homes prior to September 2004.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to EU-M would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the proffered Declaration of Restrictions and to approve the application was offered by Charlie McGarey, seconded by Curtis Lawrence, and upon a poll of the members present the vote was as follows:

Samuel L. Ballinger	aye	Curtis Lawrence	aye
Mabel G. Dijkstra	nay	Charlie McGarey	aye
Don Jones	nay	Dr. Pat Wade	nay
Wilbur B. Bell		aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 14, that the requested district boundary change to EU-M be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development

order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 25<sup>th</sup> day of February, 2003.

Hearing No. 02-7-CZ14-1

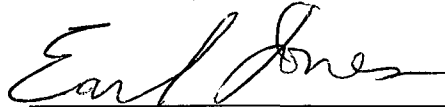
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**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board CZAB# 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-7-03 adopted by said Community Zoning Appeals Board at its meeting held on the 25<sup>th</sup> day of February, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 19<sup>th</sup> day of March, 2003.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**

